BETANCOURT, VAN HEMMEN, @ Attorneys for Plaintiff INTERNATIONAL BUNKERING (MIDDLE EAST) DMCC 46 Trinity Place New York, New York 10006 (212) 297-0050 Jeanne-Marie Van Hemmen (JV6414) UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK INTERNATIONAL BUNKERING (MIDDLE EAST) DMCC, 09 civ. Plaintiff, -against-**VERIFIED COMPLAINT** TRIDENT AUSTRALASIA FZE, -and-TRIDENT AUSTRALASIA PTY LTD.,

Plaintiff, INTERNATIONAL BUNKERING (MIDDLE EAST) DMCC ("IBME"), by and through its attorneys, Betancourt, Van Hemmen, Greco & Kenyon LLC, for its Verified Complaint against Defendants Trident Australasia FZE and Trident Australasia Pty Ltd. (hereinafter referred to collectively as "Defendants"), alleges, on information and belief, as follows:

Defendants.

### **JURISDICTION**

1. This is a case of admiralty and maritime jurisdiction as hereinafter more fully appears and is a maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure.

This Court has admiralty jurisdiction over this claim pursuant to 28 U.S.C. §1333.

### THE PARTIES

- 2. At all material times herein, Plaintiff IBME was and is a foreign business entity which maintains a place of business at Liwa Heights, Jumeirah Lake Towers, P.O. Box 283933, Dubai, United Arab Emirates.
- 3. Upon information and belief, at all material times, Defendant Trident Australasia FZE is a foreign business with a post office box in Sharjah, United Arab Emirates.
- 4. Upon information and belief, at all material times, Defendant Trident Australasia Pty. Ltd. is a foreign business entity with a place of business at 125 Royal St., East Perth, WA, Australia.

## IBME'S BREACH OF CONTRACT CLAIM AGAINST TRIDENT AUSTRALASIA FZE AND TRIDENT AUSTRALASIA PTY. LTD.

5. Plaintiff IBME provided marine fuel oil ("bunkers") to various vessels on the order of Trident Australasia FZE and Trident Australasia Pty. Ltd. on numerous occasions as set forth below ("Bunkering Contracts"):

Invoice No.	Vessel/Delivery Date	Due Date	Amount
11970	EXPRESS 23 03/12/09	03/27/2009	\$ 6,930.00
12015	EXPRESS 23 03/18/09	04/02/2009	\$ 4,920.00
12016	SELAT EAGLE 03/18/09	04/02/2009	\$21,431.52
12010	EXPRESS 23 03/25/09	04/09/2009	\$ 7,000.00
12025	LADY HAMMOND	04/11/2009	\$99,990.00
	03/27/09		
12050	SELAT EAGLE	04/15/09	\$30,300.00
	03/31/09		
12045	EXPRESS 23	04/20/2009	\$ 7,490.00
	04/05/09		
Total Principal Claim			\$178,061.52

IBME's invoices submitted in connection with each of the Bunkering Contracts are attached hereto as Exhibit A.

6. Pursuant to the terms and conditions of the Bunkering Contracts, Plaintiff IBME is entitled to interest at the rate of 2% per month on all outstanding amounts for which payment is not timely received. Accordingly, as of May 13, 2009, Defendants owed Plaintiff IBME \$ 4,186.61 in interest, which is reflected in IBME's interest invoices attached hereto as exhibit B:

Interest Note 1000	VARIOUS VESSELS	05/15/2009	\$ 3,486.61
Interest Note 9999	EXPRESS 23	05/15/2009	\$ 660.25
Total Interest as of May 13, 2009			\$ 4,186.86

- 7. Plaintiff IBME has fully performed its obligations under the Bunkering Contracts and has duly demanded payment from Defendants for the principal outstanding amount and for outstanding interest.
- 8. Defendants have admitted owing the outstanding amounts and the additional interest due as a result of the late payment. They have, nevertheless, refused and failed to pay the amount due.
- 9. According to the terms and conditions of the Bunkering Contracts, Danish law applies to any disputes arising thereunder. Under Danish law, attorneys fees are recoverable by the prevailing party. Accordingly, Plaintiff estimates the value of its claim to be:

Outstanding Principal and interest \$ 182,208.38

through May 13, 2009

Interest for two years \$ 85,469.53 (\$ 178,061.52 X .24/year x 2)

Attorneys Fees \$ 60,000.00

Total Claim: \$ 327,677.91

## IBME'S ALTER EGO CLAIM, AND/OR PAYING AGENT CLAIM, AGAINST TRIDENT AUSTRALASIA PTY LTD (IN THE ALTERNATIVE)

- 10. IBME repeats and realleges all of the foregoing as if more fully set forth below.
- 11. Trident Australasia Pty Ltd. is the alter ego of Trident Australasia FZE and so dominates and controls Trident Australasia FZE that the corporate veil between the Defendants should be disregarded.
- 12. Both entities share a similar name i.e. "Trident Australasia Pty. Ltd." and "Trident Australia FZE."
  - 13. Both entities share the same website, Tridentaustralasia.com.
- 14. In marketing literature on the Tridentaustralasia.com website, Trident Australasia Pty.

  Ltd. states that it has a "branch office" in Trident Australasia FZE's location in Sharjah, United Arab

  Emirates. Trident Australasia FZE is, otherwise, unidentified on the Tridentaustralasia.com website.
- 15. Trident Australasia Pty. Ltd. and Trident Australasia FZE have employees in common. Gary Bradford, Trident Australasia Pty. Ltd.'s Chief Operating Officer, has engaged in extensive discussions with IBME on behalf of Trident Australasia FZE concerning Trident Australasia FZE's debt to IBME.
- 16. Gary Bradford sends electronic mail on behalf of both Trident Australasia Pty Ltd. and Trident Australasia FZE. See Exhibit C hereto.
- 17. Trident Australasia Pty. Ltd. pays the debts of Trident Australasia FZE. Attached as Exhibit D are three wire transfer confirmation reports issued to IBME by Nordea Bank confirming that Nordea has credited IBME's account with funds owed to IBME by Trident Australasia FZE.

The Nordea wire transfer confirmation indicates that the funds were remitted by Trident Australasia Pty. Ltd.

- 18. It is not the general practice in the maritime industry for independent companies to make payments on behalf of other companies.
- 19. Based on these premises, the corporate veils between the Defendants should be discharged and Trident Australasia Pty. Ltd. should be found liable as alter ego or, in the alternative, as a paying agent, for the damages and interest claimed herein against Trident Australasia FZE in the amount of \$ 327,677.91.

### BASIS FOR RULE B ATTACHMENT

- Defendants cannot be found within the District within the meaning of Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims, but, on information and belief, has, or will have, during the pendency of this action, property within the District, including funds or credits being held by, or transferred through, one or more garnishee banks or financial institutions within the District.
- 21. Defendants are engaged in the offshore oil and gas industry, a component of the maritime industry. It is the custom in the maritime industry for payments to be made in U.S. dollars. For instance, the Bunkering Contracts require payment from Defendants to be made in U.S. dollars.
- 22. International U.S. dollar wire transfers are processed by intermediary banks located mainly in New York City through the Clearing House Interbank Payment System ("CHIPS"). Accordingly, Plaintiff believes property belonging to the Defendants are likely to be located in this District in the possession of those intermediary banks identified as garnishees herein. WHEREFORE, Plaintiff prays:

A. That process in due form of law in accordance with Rule B of the Supplemental Rules

for Certain Admiralty Claims and in the form of a Process of Maritime Attachment and Garnishment

be issued and levied against all property of Trident Australasia FZE and Trident Australasia Pty. Ltd.

within the District, including all funds being held by, or being transferred through, one or more of

the garnishee banks or financial institutions within the District up to the amount of \$327,677.91

B. That process in due form of law issue against Trident Australasia FZE and Trident

Australasia Pty. Ltd., citing them to appear and answer under oath the matters alleged in this Verified

Complaint, failing which default judgment be entered against it in the sum of \$ 182,208,38, plus

interest at the agreed rate of 2% per month and attorneys fees and costs of this matter;

C. That judgment be entered against Defendants Trident Australasia FZE and Trident

Australasia Pty. Ltd. for an amount of \$182,208.38, plus interest at the agreed rate of 2% per month

and attorneys fees and costs of this matter; and

D. That this Court grant Plaintiff International Bunkering (Middle East) DMCC,

attorneys fees, interest and costs and such other, further and different relief as is deemed just and

proper.

Dated: August 13, 2009

BETANCOURT, VAN HEMMEN, GRECO & KENYON LLC

Attorneys for Plaintiff

Jeanne-Marie Downey Van Hemmen (JV 64)

Attorneys for Plaintiff

46 Trinity Place

New York, New York 10006

212-297-0050

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## **ATTORNEY VERIFICATION**

STATE OF NEW JERSEY	)
	:ss:
COUNTY OF MONMOUTH	)
JEANNE-MARIE D.	VAN HEMMEN, being duly sworn, deposes and says:
attorneys for Plaintiff herein. I have thereof, and the same are true and chave reviewed documentation conce with them on the information provide	he firm Betancourt, Van Hemmen, Greco & Kenyon LLC, read the foregoing Verified Complaint, and know the contents orrect to the best of my knowledge, information and belief. I rning this matter provided by Plaintiff and have corresponded ed. I am authorized by Plaintiff to make this verification. I am an officer or director of Plaintiff within the District to execute feanne-Marie Downey Van Hemmen
Sworn and subscribed before me on August 13, 2009	
Carse Shemounts Notary Public	

Notary Public
May Commission Expires
May 3, 2011

Exhibit "A"



TUG LADY HAMMOND and/or master and/or

owners and/or charterers and/or managers and/or operators and/or

Trident Australasia FZE

c/o Trident Australasia Pty Ltd 125A Royal Street, East Perth 6004,

WA

AUSTRALIA

Invoice No.:

12025

Date:

01/06/2009

Customer No.:
Our Reference:

3238

Order No.:

TEF/MHR 88584

Delivery Date:

27/03/2009

Your Reference:

Vessel name: LADY HAMMOND

Port: Sharjah

**INVOICE** 

Description	Quantity	Unit	Unit Price USD	Total USD
Gas-Oil	198.0000	Mts.	505.00	99,990.00

Total Amount Due

USD

99,990.00

#### Value on our account, 11 April 2009

Please transfer full payment to: Nordea Bank Denmark A/S Erhvervsafdelingen Fyn. Vestergade 64 DK-5100 Odense C

Beneficiary:

International Bunkering (Middle East) DMCC USD Account No. 5036 137 616

IBAN No.: DK 4620005036137616

S.W.I.F.T:NDEADKKK

International Bunkering (Middle East) DMCC

AED Account No. 5036 137 624 IBAN No.: DK 2420005036137624

S.W.I.F.T:NDEADKKK

Reference:

12025

For payment later than 04/11/09 an interest of 2% per month will be charged All Bank charges are on Remitter's Account

IMPORTANT NOTICE:

We have moved. Please note our new address is:

International Bunkering Middle East DMCC, Jumeirah Lake Towers

Office #3606 & 3607, P. O. Box 283933, Dubai, UAE Telephone; 00971-4-4371700, Telefax: 00971-4-4281560

E-mail: bunkers@ibmenst.com

PLEASE AMEND YOUR FILES ACCORDINGLY.

TEL : 00/71 - 6 - 7429446 / 7482830 FAX: : 00/71 - 6 - 7429447 / 7482835 P.O.BOX: : 18/25 SHARJAH - U.A.E.



# الكو للخدمات الملاحية ذ.م.م. الكو لبيع المحروقات ذ.م.م.

12025

ملک : ۱۱۱۰۱۱۷ م ۱۲۸۸۱۷ - ۱ - ۱۷۱۰۰ فکس : ۱۱۱۰۱۱۷ م ۱۲۸۸۱۷ - ۱ - ۱۷۱۰۰ میب : ۱۱۱۰۱۱ هفتی انهم

DATE:	27.03.2008	DELIVE	RY RECEI	<u> </u>		NO. 187	288	
Buyer's / Receiving	Vessel :_	М	.V. LADY	HAMMO	ND			
Vessel's IMO / Tank Agents / Charterers Operators / Cwmerk		M/S GAC SHARJAH						
Address	:.	:SHARJAH PORT BERTH # 14						
Delivery Site / Loca	tion :_	MR. LOY VEIGAS 050-3789682						
Contact Personal N	lamo / Tel. :	(VI	R. LOT V	EIGAS U	20-27 686	0.2		
PRODUCT GODE & D	ESCRIPTION	GRADE	QTY ORDRO	GIA DINKR	UNIT	PRICE	LPO NO.	
	M.G.O		198 M.TONS	48 M TON:	IA TONS			
VEH. NO. / DRIVER'S	) NAME	ALONGSIDE AT SITE	SAMPLE SEAL NO.	START PUMPING	Finish Pumping	START READING	Final. Reading	
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DATE:	DELIV	ERY RECEI	PT		NO. 167	87	
Buyer's / Recolving Vessel :	M	M.V. LADY HAMMOND					
/essel's iMO / Tank No. :						•	
Agents / Cherterers / :	M	M/S GAC SHARJAH					
Address :	ı						
	S	HARJAH	PORT BEI	RTH # 14			
Collyery Site: Location :	A.	BIOVY	EIGAS 0	37898	92		
Contact Parsimal Name / Tel.		114, LOT V					
PRODUCY COISE & DESCRIPTION	GRADE	QTY ORDRID	QYY DLVRD	UNIT	PRICE	LPO NO.	
M.G.O.	-	198 M.TONS	50 MLTONS	U.YONS			
ven. No. / Driver's Name	ALONGSIDE AT SITE	SAMPLE SEAL NO.	START PUMPING	FINESH PUMPING.	START · READING	FIXAL READING	
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D.O SPECIFICATION				REMARKS	3		
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TERMS & CONDITIONS the disclaimed attemp or any type of ferm and be accepted on the managing cardiage for disclaimed the transfer of managing for the state of the state attempts responsibility for the

1. We hereby Confirm that the Problets Wife Pointon with regulations 14(1) or 14(a) and regulation 18(1) IMO ANNEX of Marpol 73/78.
2. The Product is inspected 8 received in good condition, tree of water contents and comply the product's specification as per MARPOL arranx VI.
3. Product once delivered will not be exchanged or returned.
4. After the delivery supplier is not responsible for any loss or damage of receiver's Equipment.
5. Payment to be made as per agreed terms, falling which legal action will be taken as por UAE's rules 8 regulations.

TEL ': 60871-6-7420446/7482830 PAX : 60871-6-7420447/7482838 P.O.BOX : 18828-8HARJAH-U.A.E



## الكو للخدمات الملاحية ذ.م.م. الكو لبيع المحروقات ذ.م.م.

مثله : ۱۱۱۰۱۱۱۰ - ۱۹۵۲ - ۱۹۲۱ - ۱۹۲۱ مثله لکس : ۱۹۱۱ ۱۹۲۱ و ۱۹۲۸ - ۱۹۲۱ مثله - ۱۹۲۱ مثله مثله الم

DATE:	27.03.2009	DELIVI	RY RECEI	<u>PT</u>		NO. 187	286
Buyer's / Receiving Ve	essel :	M	.v. LADY	HAMMON	ND		
Vessors IMO / Tank No	D. :.						·
Agents / Charterers / Operators / Owner's	:.	M	IS GAC S				
Address	:.			<del> </del>			
Delivery Site   Locatio	in i,	S	HARJAH	PORT BE	RTH # 14	- <u> </u>	
Contact Personal Nan	ne / Tel. :	M	R. LOY V	EIGAS 0	50-37896	82	
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	M.G.O.		193 M.TONS	50 M.TON	M TONS		
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SPECIFIC G	RAVITY (AT 16°C)	0.8546					
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1. We hereby Confirm that the Protection-Conformity with regulations 14(1) or 14(a) and regulation 15(1) this ANNEX of Marpot 73/78.

2. The Product is Inspected & received in good condition, they of water contents and comply the product's specification as por MARPOL onnex VI.

3. Product once -lebrard will not be exchanged or returned.

4. After the definity supplier is not responsible for any tosa or clamage of receiver's Equipment.

5. Payment to be made as por agreed terms, failing which legal action will be taken as por UAE's rules & requisitions.

TEL : 00971- 6-7420446/7482830 FAX : 00971-6-742947/7482838 P.O.BOX : 18825 SHARJAH-UA.E.



## الكو للخدمات الملاحية ذ.م.م.

ملک : ۱۱۱۰۱۱۱ (۱۹۱۹ - ۱ - ۱۳۱۰ دار ۱۹۱۹ - ۱ - ۱۳۱۰ دار ۱۹۱۹ دار ۱۹ دار ۱۹

DATE:	27.03.2009	DELIV	ERY RECEI	NO. 167	85			
Buyer's / Recolvin	ng Vessel :_	M	.v. LADY					
Vessel's IMO / Tax	- nk No. :		• 4					
Agents / Charters Operators / Owns	rre / :_	: M/S GAC SHARJAH						
Address	·-						<del></del>	
Dalivery Site i Lo	cation :_	s	HARJAH	PORT BE	RTH # 14			
Contact Personal	Name / Tel.	M	R. LOY V	EIGAS 0	50-37896	82		
PRODUCY CODE	DESCRIPTION	GRADE	CHURO YED	QTY BLVRD	UNIT	PRICE	LPO NO.	
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TERMS & CONDITIONS The discrementations at any type of form are an accepted on the burstering excites one chould any such stamp apply over the property of the control of many of the control of many of the control of



TUG SELAT EAGLE and/or master-and/or

owners and/or charterers and/or managers and/or operators and/or

Trident Australasia FZE c/o Trident Australasia Pty Ltd 125A Royal Street, East Perth 6004.

WA

**AUSTRALIA** 

Invoice No.:

12050

Date:

01/06/2009

Customer No.: Our Reference: 3238

Order No.:

TEF/MHR 88594

Delivery Date:

Your Reference:

31/03/2009

Vessel name: SELAT EAGLE

Port:

Shariah

INVOICE

Description	Quantity	Unit	Unit Price USD	Total USD
Gas-Oil	60.0000	Mts.	505.00	30,300.00

Total Amount Due

USD

30,300.00

#### Value on our account, 15 April 2009

Please transfer full payment to: Nordea Bank Denmark A/S Erhvervsafdelingen Fyn. Vestergade 64 DK-5100 Odense C

Beneficiary:

International Bunkering (Middle East) DMCC

USD Account No. 5036 137 616 IBAN No.: DK 4620005036137616

S.W.I.F.T:NDEADKKK

International Bunkering (Middle East) DMCC

AED Account No. 5036 137 624 IBAN No.: DK 2420005036137624

S.W.I.F.T:NDEADKKK

Reference:

12050

For payment later than 04/15/09 an interest of 2% per month will be charged All Bank charges are on Remitter's Account

**IMPORTANT NOTICE:** 

We have moved. Please note our new address is:

International Bunkering Middle East DMCC, Jumelrah Lake Towers

Office #3606 & 3607, P. O. Box 283933, Dubai, UAE Telephone: 00971-4-4371700, Telefax: 00971-4-4281560

E-mail: bunkers@lbmeast.com

PLEASE AMEND YOUR FILES ACCORDINGLY.



## البياسمين للتجارة زيوت السيارات ذ.م.م. Al Yasmeen Auto Lube Trading L.L.C.

Tel.: 06 53 43 841, Fax: 06 53 46 841

P.O. Box: 26128, Sharjah - United Arab Emirates

Delivery Order No: 0680

Customer For the Account of Master/Owners/Operators

å /Aanagers/Charters/of " M\V Select Eagle"

Name

INTERNATIONAL BUNKERING

P.O.BOX:9204

City

DUBAI, U.A.E.

Date : 31-Mar-09

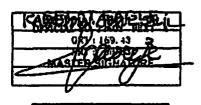
Job no :

LPO NO:

Ref NO:Nil

No	Description	Qty(I 6)
	MGO(DMA) supplied to "M\V Select Eagle"  At Sharjah Port	
	(Sample No: 10523,10524)	40 MT 10,560 I <i>G</i>
	IMO NO: The fuel conforms with Red 14(1) and 18(1) of Annex V I	
	of Marpol 73/78	

Acceiver's Named Signature



Repared BOBOR 76128 \*

Repared BOBOR 76128 \*

A PASAGEN ANT O UBRICANT TR LC

Vehicle No :DXB:50058
Driver's Name: Mr. :Preman



## السيساسمسيسن لستجسارة زيوت السيسارات ذ.م.م. Al Yasmeen Auto Lube Trading L.L.C.

Tel.: 06 53 43 841, Fax: 06 53 46 841

P.O. Box: 26128, Sharjah - United Arab Emirates

Delivery Order No: 0681

Customer For the Account of Master/Owners/Operators

å /Aanagers/Charters/of " M\V Select Eagle"

Name INTERNATIONAL BUNKERING

P.O.BOX:9204

City DUBAI, U.A.E.

Date : 31 -Mar-09

Job no:

LPO NO:

Ref NO :Nil

No	Description	Qty(I 6)
	MGO(DMA) supplied to "M\V Select Eagle"	
	At Sharjah Port	
}	(Sample No: 10526,10525)	20 MT 5,280 IG
	IMO NO:	
1	The fuel conforms with Red 14(1) and 18(1) of Annex V I	
	of MARPOL 73/78	

Receiver's Named
Signature

repared BysoSumesh

Vehicle No :DXB:54421 Driver's Name: Mr. :Sunil



EXPRESS 23 and/or master and/or owners and/or charterers and/or managers and/or operators and/or Trident Australasia FZE c/o Trident Australasia Pty Ltd 125A Royal Street, East Perth 6004, WA

**AUSTRALIA** 

Invoice No.:

12045

3238

Date: Customer No.: 01/06/2009

Our Reference:

MAL/MHR

Order No.:

88612

Delivery Date:

05/04/2009

Your Reference:

Vessel name: EXPRESS 23

Port:

Sharjah

INVOICE

Description	Quantity	Unit	Unit Price USD	Total USD
Gas-Oil	14.0000	Mts.	535.00	7,490.00

Total Amount Due

USD

7,490.00

Value on our account, 20 April 2009

Please transfer full payment to: Nordea Bank Denmark A/S Erhvervsnfdelingen Fyn. Vestergade 64 DK-5100 Odense C

Beneficiary:

International Bunkering (Middle East) DMCC

USD Account No. 5036 137 616 IBAN No.: DK 4620005036137616

S.W.I.F.T:NDEADKKK

International Bunkering (Middle East) DMCC

AED Account No. 5036 137 624 IBAN No.: DK 2420005036137624

S.W.J.F.T:NDEADKKK

Reference:

12045

For payment later than 04/20/09 an interest of 2% per month will be charged All Bank charges are on Remitter's Account

IMPORTANT NOTICE:

We have moved. Please note our new address is:

International Bunkering Middle East DMCC, Jumeirah Lake Towers

Office #3606 & 3607, P. O. Box 283933, Dubui, UAE Telephone: 00971-4-4371700, Telefax: 00971-4-4281560

E-mail: bunkers@ibmeast.com

PLEASE AMEND YOUR FILES ACCORDINGLY.



## الياسمين لتجارة زيوت السيارات ذ.م.م. Al Yasmeen Auto Lube Trading L.L.C.

Tel.: 06 53 43 841, Fax: 06 53 46 841

P.O. Box: 26128, Sharjah - United Arab Emirates

Delivery Order No: (690)

Customer For the Account of Master/Owners/Operators

& Managers/Charters/of " M\V Express 23 "

Nume

INTERNATIONAL BUNKERING

P.O.BOX:9204

City

DUBAI, U.A.E.

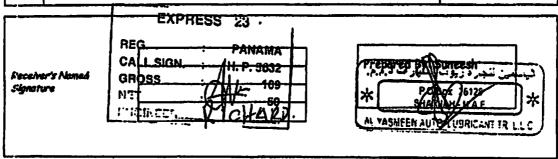
Date: 05 -April-09

Job no :

LPO NO:

Ref NO :Nil

No	Description	Qty(I 6)
	MGO(DMA) supplied to "M\V Express 23 "	
	A† Kahild Port Shj	44.45
	(Sample No: 10541,10542)	14 MT 3696 I <i>G</i>
	IMO NO:	
	The fuel conforms with Red 14(1) and 18(1) of Annex V I	
	of MARPOL 73/78	



Vehicle No: DXB: 50058 Driver's Name: Mr. Preman



EXPRESS 23 and/or master and/or owners and/or charterers and/or managers and/or operators and/or Trident Australasia FZE c/o Trident Australasia Pty Ltd 125A Royal Street, East Perth 6004. WA.

Invoice No.:

11970

Date:

01/06/2009

Customer No.:

3238

Our Reference: Order No.:

MAL/MHR

Delivery Date:

88524

12/03/2009

Your Reference:

Vessel name: EXPRESS 23

Port:

**AUSTRALIA** 

Sharjah

INVOICE

Description	Quantity	Unit	Unit Price USD	Total USD
Gas-Oil	14.0000	Mts.	495.00	6,930.00

**Total Amount Due** 

USD

6,930.00

Value on our account, 27 March 2009

Please transfer full payment to: Nordea Bank Denmark A/S Erhvervsafdelingen Fyn. Vestergade 64 DK-5100 Odense C

Beneficiary:

International Bunkering (Middle East) DMCC

USD Account No. 5036 137 616 IBAN No.: DK 4620005036137616

S.W.I.F.T:NDEADKKK

International Bunkering (Middle East) DMCC

AED Account No. 5036 137 624 IBAN No.: DK 2420005036137624

S.W.I.F.T:NDEADKKK

Reference:

11970

For payment later than 03/27/09 an interest of 2% per month will be charged All Bank charges are on Remitter's Account

IMPORTANT NOTICE:

We have moved. Please note our new address is:

International Bunkering Middle East DMCC, Jumeirah Lake Towers

Office #3606 & 3607, P. O. Box 283933, Dubai, UAE Telephone: 00971-4-4371700, Telefax: 00971-4-4281560



# اليساسمين لتجسارة زيوت السيارات ذ.م.م. Al Yasmeen Auto Lube Trading L.L.C.

Tel.: 06 53 43 841, Fax: 06 53 46 841

P.O. Box: 26128, Sharjah - United Arab Emirates

Delivery Order No: 13648

Customer For the Account of Master/Owners/Operators

4 Managers/Charters/of " M\V Express 23"

Name

INTERNATIONAL BUNKERING

P.O.BOX:9204

City

DUBAI, U.A.E.

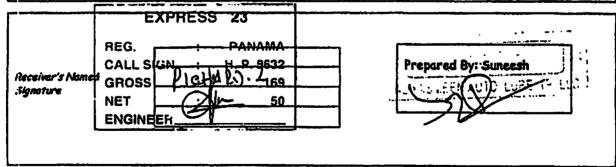
Date : 12 -Mar-09

Job no:

LPO NO:

Ref NO:Nil

No	Description	Qty(I 6)
	MGO(DMA) supplied to "M\V Express 23"	
	At Kalid Port	14MT
Ì	(Sample No: 10461,10462)	3,696 IG
	IMO NO:	
}	The fuel conforms with Red 14(1) and 18(1) of Annex V I	
	of MARPOL 73/78	



Vehicle No: DXB:6463 Driver's Name: Mr.: Preman



EXPRESS 23 and/or master and/or owners and/or charterers and/or managers and/or operators and/or Trident Australasia FZE

c/o Tradent Australasia Pty Ltd 125A Royal Street, East Perth 6004.

WA

**AUSTRALIA** 

Invoice No.:

12015

3238

Date: Customer No.: 01/06/2009

Our Reference:

ALIMHR

Order No.: Delivery Date: 88543 18/03/2009

Your Reference:

Vessel name: EXPRESS 23

Port:

Sharjah

**INVOICE** 

Description	Quantity	Unit	Unit Price USD	Total USD
Gas-Oil	10.0000	Mts.	492.00	4,920.00

Total Amount Due

USD

4,920.00

Value on our account, 02 April 2009

Please transfer full payment to: Nordea Bank Denmark A/S Erhvervsafdelingen Fyn. Vestergade 64 DK-5100 Odense C

Beneficiary:

International Bunkering (Middle East) DMCC USD Account No. 5036 137 616

IBAN No.: DK 4620005036137616

S.W.I.F.T:NDEADKKK

International Bunkering (Middle East) DMCC

AED Account No. 5036 137 624 IBAN No.: DK 2420005036137624

S.W.I.F.T:NDEADKKK

Reference:

12015

For payment later than 04/02/09 an interest of 2% per month will be charged All Bank charges are on Remitter's Account

**IMPORTANT NOTICE:** 

We have moved. Please note our new address is:

International Bunkering Middle East DMCC, Jumeirah Lake Towers

Office #3606 & 3607, P. O. Box 283933, Dubai, UAE Telephone: 00971-4-4371700, Telefax: 00971-4-4281560



## الـيـاسمـيـن لـتجـارة زيوت السيـارات ذ.م.م. Al Yasmeen Auto Lube Trading L.L.C.

Tel.: 06 53 43 841, Fax: 06 53 46 841

P.O. Box: 26128, Sharjah - United Arab Emirates

Delivery Order No: 0661

Customer For the Account of Master/Owners/Operators

& Managers/Charters/of " M\V Express 23"

Name

INTERNATIONAL BUNKERING

P.O.BOX:9204

City

DUBAI, U.A.E.

Date: 18-Mar-09

Job no:

LPO NO:

Ref NO:Nil

140	Description	Qty(I 6)
	MGO(DMA) supplied to "M\V Express 23"  At Sharjah	10MT
	(Sample No: 10487,10488)  IMO NO:	2,640 IG
	The fuel conforms with Red 14(1) and 18(1) of Annex V I of MARPOL 73/78	

	EXPRESS 23	
Receiver's Named Signature	REG.: PANAMA CALLSIGN.: H. P. 5632 GROSS: PICHAMA NET 50 ENGINEER	Prepared By: Suneesh

Vehicle No: DXB:50058 Driver's Name: Mr.: Preman



TUG SELAT EAGLE and/or master and/or

owners and/or charterers and/or managers and/or operators and/or

Trident Australasia FZE c/o Trident Australasia Pty Ltd

125A Royal Street, East Perth 6004,

WA

**AUSTRALIA** 

Invoice No.:

12016

Date:

01/06/2009

Customer No.: Our Reference: Order No.:

3238 **ALI/MHR** 

Delivery Date:

88544

Your Reference:

18/03/2009

Vessel name: SELAT EAGLE

Port:

Shariah

INVOICE

Description	Quantity	Unit	Unit Price USD	Total USD
Gas-Oil	43.5600	Mts.	492.00	21,431.52

**Total Amount Due USD** 21,431.52

Value on our account, 02 April 2009

Picase transfer full payment to: Nordea Bank Denmark A/S Erhvervsafdelingen Fyn. Vestergade 64 DK-5100 Odense C

Beneficiary:

International Bunkering (Middle East) DMCC USD Account No. 5036 137 616

IBAN No.: DK 4620005036137616

S.W.I.F.T:NDEADKKK

International Bunkering (Middle East) DMCC

AED Account No. 5036 137 624 IBAN No.: DK 2420005036137624

S.W.I.F.T:NDEADKKK

Reference:

12016

aent later than 04/02/09 an interest of 2% per month will be charged charges are on Remitter's Account

INT NOTICE:

We have moved. Please note our new address is:

International Bunkering Middle East DMCC, Jumeirah Lake Towers

Office #3606 & 3607, P.O. Box 283933, Dubai, UAE Telephone: 00971-4-4371700, Telefax: 00971-4-4281560



## الـيـاسمـيـن لـتجـارة زيوت السيـارات ذ.م.م. Al Yasmeen Auto Lube Trading L.L.C.

Tel.: 06 53 43 841, Fax: 06 53 46 841

P.O. Box: 26128, Sharjah - United Arab Emirates

Delivery Order No: 1667

Customer For the Account of Master/Owners/Operators

d Managers/Charters/of " M\V Select Eagle"

Name INTERNATIONAL BUNKERING

P.O.BOX:9204

City DUBAI, U.A.E.

Date: 18 -Mar-09

Job no :

LPO NO:

Ref NO:Nil

Qty(I 6)
50MT _ 13,200 IG

Neceiver's Named

SELAT EAGLE

FINCIAL NO. 13603 PRIT. 4

KAMUDRIN AND OL JALIL

MASTER SIGNATURE

MASTER SIGNATURE

Prepared By: Suneesh

Vehicle No: DXB:54421 Driver's Name: Mr.: Sunil

NOTE

THE VESSEL TANK IS GOT FOLL .

RECIEVED ONLY - 11.500 IG (IMPERIAL GALLON)



EXPRESS 23 and/or master and/or owners and/or charterers and/or managers and/or operators and/or Trident Australasia FZE

c/o Tr.dent Australasia Pty Ltd 125A Royal Street, East Perth 6004,

WA

**AUSTRALIA** 

Invoice No.: 12010

01/06/2009 Date:

Customer No.: 3238

Our Reference: MAL/MHR Order No.: 88573

25/03/2009

Delivery Date: Your Reference:

Vessel name: EXPRESS 23

Port:

Shariah

INVOICE

Description	Quantity	Unit	Unit Price USD	Total USD
Gas-Oil	14.0000	Mts.	500.00	7,000.00

Total Amount Due	USD	7,000.00

### Value on our account, 09 April 2009

Please transfer full payment to: Nordea Bank Denmark A/S Erhvervsafdelingen Fyn. Vestergade 64 DK-5100 Odense C

Beneficiary:

International Bunkering (Middle East) DMCC USD Account No. 5036 137 616 IBAN No.: DK 4620005036137616

S.W.I.F.T:NDEADKKK

International Bunkering (Middle East) DMCC

AED Account No. 5036 137 624 IBAN No.: DK 2420005036137624

S.W.I.F.T:NDEADKKK

Reference: 12010

For payment later than 04/09/09 an interest of 2% per month will be charged All Bank charges are on Remitter's Account

IMPORTANT NOTICE:

We have moved. Please note our new address is:

International Bunkering Middle East DMCC, Jumeirah Lake Towers

Office #3606 & 3607, P. O. Box 283933, Dubai, UAE Telephone: 00971-4-4371700, Telefax: 00971-4-4281560



## السيساسمسيسن لستجسارة زيوت السيسارات ذ.م.م. Al Yasmeen Auto Lube Trading L.L.C.

Tel.: 06 53 43 841, Fax: 06 53 46 841

P.O. Box: 26128, Sharjah - United Arab Emirates

Delivery Order No: 0674

Customer For the Account of Master/Owners/Operators

& Managers/Charters/of " M\V Express 23"

Mame

INTERNATIONAL BUNKERING

P.O.BOX:9204

City

DUBAI, U.A.E.

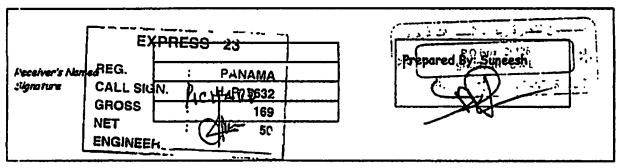
Date : 25 -Mar-09

Job no:

LPO NO:

Ref NO :Nil

No	Description	Qty(I 6)
	MGO(DMA) supplied to "M\V Express 23"	
	At Khalid Port	44.44
	(Sample No: 10512,10511)	14 MT 3696 I <i>G</i>
	IMO NO:	
	The fuel conforms with Red 14(1) and 18(1) of Annex V I	
	of MARPOL 73/78	



<u>Vehicle No :DXB:50058</u> <u>Driver's Name: Mr. :Preman</u>

Exhibit "B"



Trident Australasia FZE c/o Trident Australasia Pty Ltd 125A Royal Street, East Perth 6004, WA AUSTRALIA

Interest Note No.: 1000

Date:

05/13/09 3238/MAL

Our Reference: Interest rate:

2% per month

### **Interest Note**

Description	Due Date	Invoice Amount USD	Days	Total USD
12016 SELAT EAGLE 03/18/09 12025 LADY HAMMOND 03/27/09 12050 SELAT EAGLE 03/31/09	04/02/09 04/11/09 04/15/09	21,431.52 99,980.00 30,300.00	43 34 30	614.37 2,266.44 606.00
12050 SELAT EAGLE 03/31/09	04/15/09	30,300.00	30	606.00
			İ	
	,	! ]		
	İ			
Total USD	<u></u>	USD	1	3,486.81

Please transfer full payment to:

Nordea Bank Denmark A/S Vesterg:ade 64 DK-510() Odense C

DENMARK

In favour of: International Bunkering (Middle East) DMCC

S.W.I.F.T.: NDEADKKK Account No.: 5036137616 IBAN: DK4620005036137616

Reference: 1000

All Bank Charges are on the Remitter's Account.

IMPORTANT NOTICE:

We have moved. Please note our new address is:

International Bunkering Middle East DMCC. Jumeirah Lake Towers

Office #3606 & 3607, P. O. Box 283933, Dubai, UAE Telephone: 00971-4-4371700, Telefax: 00971-4-4281560

E-mail: bunkers@ibmeast.com

PLEASE AMEND YOUR FILES ACCORDINGLY.



Trident Australasia FZE c/o Trident Australasia Pty Ltd 125A Royal Street, East Perth 6004,

**AUSTRALIA** 

Interest Note No.: 999

Date: Our Reference: 05/13/09 3238/MAL

Interest rate:

2% per month

## **Interest Note**

Description	Due Date	Invoice Amount USD	Days	Total USD
11970 EXPRESS 23 03/12/09 12015 EXPRESS 23 03/18/09 12010 EXPRESS 23 03/25/09 12045 EXPRESS 23 04/05/09	03/27/09 04/02/09 04/09/09 04/20/09	6,930.00 4,920.00 7,000.00 7,490.00	49 43 36 25	226.38 141.04 168.00 124.83

Total USD USD 660.25

Please transfer full payment to: Nordea Bank Denmark A/S Vestergrade 64

DK-5100 Odense C

**DENMARK** 

in favour of: International Bunkering (Middle East) DMCC

S.W.I.F.T.: NDEADKKK Account No.: 5036137616 IBAN: DK4620005036137616

Reference: 999

All Bank Charges are on the Remitter's Account.

IMPORTANT NOTICE:

We have moved. Please note our new address is:

International Bunkering Middle East DMCC. Jumeirah Lake Towers

Office #3606 & 3607, P.O. Box 283933, Dubai, UAE Telephone: 00971-4-4371700, Telefax: 00971-4-4281560

E-mail: bunkers@ibmeast.com

PLEASE AMEND YOUR FILES ACCORDINGLY.

Exhibit "C"

### Carsten Ladekjær

From:

Gary Bradford [Gary.Bradford@tridentaustralasia.com]

Sent:

Thursday, May 07, 2009 3:46 PM

To:

Mahsa Alavipoor

Cc:

Carsten Ladekjær; Peter Cox; Mehran Barooni Late Payment by Trident and threat of Legal Action

Follow Up Flag: Follow up Flag Status:

Completed

#### Dear Mahsa.

Subject:

As you know, Trident Australasia FZE has been engaged the Hengam Submarine Pipeline Installation Project, supported by your teams effort and high standard service for the supply of fuel we have almost completed these works. Unfortunately, our client Jonoob Tasisat of Ahwaz, Iran has defaulted on the contract and not met its obligations to pay during the course of the project.

We are deploying all resources and efforts to resolve the situation and both sort the support of arbitration in Iran and have asked the principle client the Iranian Offshore Oil Company to Intervene and provide payment due under the contract. We are very confident of a prompt and positive outcome from the Arbitration Centre in Iran due to the national importance of this project.

We have been able to provide some relief to you and those suppliers that have been adversely affected by this situation created by Jonoob Tasisat and will continue to do so as funds are available and we ask you to bear with us as we are seeking to find a solution as quickly as possible.

I understand fully your concern caused by our late payment and as discussed Tuesday, I accept that interest charges will apply.

In the meantime, I would like to thank you for your patience and your continued and valued support.

I know you have been trying to reach me and I have not been avoiding your calls just trying to get a resolution in order that we can remit funds to you as soon as possible.

#### Yours sincerely

Gary Bradford | Chief Operating Officer | Trident Australasia 125A Royal Street, East Perth, WA 6004 | Ph: +61 8 9225 2103 | Fax: +61 8 9225 2120 | Mob: +61 419 929 559

Trident Australasia FZE, PO Box 122319 Sharjah, UAE | UAE Mob; +971 56 6952642 | IRAN Mob; +98 9124062833

gary.bradford@tridentaustralasia.com | www tridentaustralasia.com



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Exhibit "D"



2206

INTERNATIONAL BUNKERING (ME) DMCC OFFICE NO.ESO:10, PO BOX NO.9204 DUBAI WORLD TRADE CENTRE DUBAL UAE Confirmation Payment received

Date 2009.02.13 Account No 5036137616 Reference 7463016862206

#### **PAYMENT FROM ABROAD**

Received amount

9,050.00 USD

We have 2009.02.13 (value 2009.02.13) credited account No 2206 5036 137 616

9,050.00 USD

Beneficiary: 5036137616 INTERNATIONAL BUNKERING DMCC PO BOX 9204 DUBAL U.A.E

At the request of: /016002484243454 TRIDENT AUSTRALASIA PTY LTD/ 125A ROYAL STREET EAST PERTH WA

Original amount 9,075.00 USD

Message to beneficiary: /RFB/INVOICE PMT INVOICE 11787 PAYMENT

Remitter's bank: AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED G.P.O. BOX 537 E, 100, QUEEN STREET MELBOURNE, VI 3001 - AUSTRALIA

Bl. Orgo = \$25

BRN08/0232

POSTFD

Company republisher number 13522197, Copenhagen, Denmark



2206

INTERNATIONAL BUNKERING (ME) DMCC OFFICE NO.ESO:10, PO BOX NO.9204 **DUBAI WORLD TRADE CENTRE** DUBAI, UAE

Confirmation Payment received (

Date 2009.02.13 Account No 5036137616 Reference 7463016862205

#### **PAYMENT FROM ABROAD**

Received amount

6,005.00 USD

We have 2009.02.13 (value 2009.02.13) credited account No 2206 5036 137 615

6,005.00 USD

Beneficiary: 5036137616 INTERNATIONAL BUNKERING DMCC PO BOX 9204 DUBAI U.A.E

At the request of: /016002484243454 TRIDENT AUSTRALASIA PTY LTD/ 125A ROYAL STREET EAST PERTH WA

Original amount 6,030.00 USD

Message to beneficiary: /RFB/INVOICE PMT INVOICE 11836 PAYMENT

Remitter's bank: AUSTRALIA AND NEW ZEALAND BANKING GROUP UMITED G.P.O. BOX 537 E, 100, QUEEN STREET MELBOURNE, VI 3001 - AUSTRALIA

84. agg = 4 00 | -

POSTED

Company regulation number 13522197, Geography, Demonth



2206

INTERNATIONAL BUNKERING (ME) DMCC OFFICE NO.ESO:10, PO BOX NO.9204 **DUBAI WORLD TRADE CENTRE** DUBAL UAE

Confirmation Payment received

Date 2009.03.02 Account No 5036137616 Reference 7463016934794

#### **PAYMENT FROM ABROAD**

Received amount

70,406.20 USD

We have 2009.03.02 (value 2009.03.02) credited account No 2206 5036 137 616

Bk. Carge = \$25/-

70,406.20 USD

Beneficiary: 5036137616 INTERNATIONAL BUNKERING DMCC PO BOX 9204 DUBAI U.A.E

At the request of: A016002484243454 TRIDENT AUSTRALASIA PTY LTD 125A ROYAL STREET EAST PERTH WA

Original amount 70,431.20 USD

(

Message to beneficiary: /RFB/INVOICE PMT INVOICE 11881, 11887, 11885 AND 11842 PAYMENT

Remitter's bank: AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED G.P.O. BOX 537 E, 100, QUEEN STREET MELBOURNE, VI 3001 - AUSTRALIA

BRVOR/0278
POSTED

Nordes Bank Donmark A/9 Envanysitating Fyn, Corporate adviser Jon Redling Vestergade 84, Poetbox 909 8000 Odenso C Tel: +45 88 12 73 28 Fax: +45 85 91 24 35

Company) egistration runder 13522197, Copenhagen, Danmaik